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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE**

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**KEITH SALINAS, *et al.***

**Plaintiffs,**

**v.**

**US XPRESS ENTERPRISES, INC., *et al.***

**Defendants.**

**PLAINTIFFS' MOTION FOR  
APPROVAL OF FLSA  
SETTLEMENT AND RELATED  
RELIEF**

**Case No. 13-245**

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**PLAINTIFFS' MOTION FOR APPROVAL OF FLSA SETTLEMENT AND  
RELATED RELIEF**

For the reasons set forth in the attached Brief in Support of this Motion, Plaintiffs respectfully request this Court enter an Order:

1. Granting final approval of the FLSA Collective Action Settlement, attached to Justin Swidler's Declaration as "Exhibit 1-A";
2. Ordering Defendants, pursuant to the Settlement Agreement, to wire the entire Settlement Fund of \$2,200,000 (Two Million, Two Hundred Thousand Dollars) to the Claims Administrator no later than 14 days following the date of this Order;
3. Appointing Angeion Group as the Claims Administrator to distribute all payments to be made pursuant to the Settlement Agreement, and ordering Angeion Group to distribute the Settlement Fund to all class members and arbitration claimants consistent with the Settlement Agreement, including the Service Awards for the Class Representatives and Opt-In Plaintiff Deponents and the Attorney's fees and costs as approved by the Court;
4. Ordering Angeion Group to donate any unclaimed funds after the final distribution and accounting to the St. Christopher's Fund;

5. Awarding the Service Payment of \$10,000 to the Named Plaintiff Keith Salinas as payment for the services he performed for the class;

6. Awarding the Service Payment of \$500 each to the Opt-In Plaintiff Deponents, Javier Franco, Melinda Gonzalez, Jamie Foley, Willie Thomas, Danielle Gorman, Kevin Monroe, Will Armstrong, John Ballay, Darcell Ellis and Lou Debella, as payment for the services they performed for the class;

7. Granting Class Counsel's request for their reasonable attorneys' fees of \$880,000, and ordering the distribution of such payment to Class Counsel in accordance with the Settlement Agreement;

8. Granting Class Counsel's request for reimbursement of their reasonable litigation costs, totaling \$193,922.37, and ordering the distribution of such reimbursement to Class Counsel by Angeion Group in accordance with the Settlement Agreement;

9. Granting Angeion Group its reasonable fees and costs incurred in administering the settlement from the Settlement Fund; and

10. Dismissing this matter with prejudice without costs or fees to either side, except as provided in the Settlement Agreement.

Respectfully submitted,

/s Justin L. Swidler

Justin L. Swidler, Esq. (PA ID: 205954)

Travis Martindale-Jarvis, Esq. (PA ID: 319381)

**SWARTZ SWIDLER, LLC**

1101 Kings Hwy. N., Ste. 402

Cherry Hill, NJ 08034

Phone: (856) 685-7420

Fax: (856) 685-7420

Email: jswidler@swartz-legal.com

Email: tmartindale@swartz-legal.com

Dated: January 26, 2018